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23
24 UNITED STATES DISTRICT COURT
25 NORTHERN DISTRICT OF CALIFORNIA
26 SAN FRANCISCO DIVISION

27 In re: CATHODE RAY TUBE (CRT)
28 ANTITRUST LITIGATION

Case No. 3:07-cv-5944-SC
MDL No. 1917

This Document Relates to:

**DECLARATION OF GABRIEL A. FUENTES
IN SUPPORT OF MITSUBISHI ELECTRIC
DEFENDANTS' ADMINISTRATIVE MOTION
TO FILE DOCUMENTS UNDER SEAL**

Best Buy Co., Inc., et al. v. Technicolor SA,
et al., No. 13-cv-05264;

Electrograph Systems, Inc., et al. v.
Technicolor SA, et al., No. 13-cv-05724;

Interbond Corp. of Am. v. Technicolor SA,
et al., No. 13-cv-05727;

Office Depot, Inc. v. Technicolor SA, et al.,
No. 13-cv-05726;

P.C. Richard & Son Long Island
Corporation, et al. v. Technicolor SA, et al.,
No. 13-cv-05725;

Costco Wholesale Corporation v.

28 DECLARATION OF GABRIEL A. FUENTES IN SUPPORT OF MITSUBISHI ELECTRIC DEFENDANTS'
ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL

Case No. 3:07-cv-5944-SC; MDL No. 1917

Technicolor SA, et al., No. 13-cv-05723;
Schultze Agency Services, LLC v.
Technicolor SA, Ltd., et al., No. 13-cv-
05668;

*Sears, Roebuck and Co., et al. v.
Technicolor SA*, No. 13-cv-05262;

Tech Data Corp., et al. v. Hitachi, Ltd., et al., No.13-cv-00157;

Siegel v. Technicolor SA, et al., No.13-cv-05261.

DECLARATION OF GABRIEL A. FUENTES

I, Gabriel A. Fuentes, declare as follows:

1. I am an attorney licensed to practice law in the State of Illinois, and I am a Partner at the law firm of Jenner & Block LLP, and attorney of record for Defendants Mitsubishi Electric Corporation, Mitsubishi Electric U.S., Inc., and Mitsubishi Electric Visual Solutions America, Inc. (collectively, the “Mitsubishi Electric Defendants”). I submit this declaration in support of the Mitsubishi Electric Defendants’ Administrative Motion to File Documents Under Seal (the “Motion”). I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently to such facts under oath.

2. On June 18, 2008, this Court signed the stipulated Protective Order (Case No. 3:07-cv-05944-SC, Dkt. No. 306), that allows a party to designate a document or deposition testimony “Confidential” or “Highly Confidential” when that party believes the document or testimony contains “trade secrets, or other confidential research, development, or commercial information, within the meaning of Fed. R. Civ. P. 26(c); or other private or competitively sensitive information for which special protection from public disclosure and from use for any purpose other than prosecuting this litigation would be warranted.” *See id.* at 1-6.

3. When litigation materials are designated confidential pursuant to the Protective Order, “a Party may not file [them] in the public record.” A party that seeks to file under seal any Protected Material must comply with Civil Local Rule 79-5.” *Id.* at 11. When litigation materials are designated confidential pursuant to the Protective Order, “a Party may not file [them] in the public record.” A party that seeks to file under seal any Protected Material must comply with Civil Local Rule 79-5.” *Id.* at 11.

3. Pursuant to Civil Local Rules 7-11 and 79-5, and the Stipulated Protective Order, the following should be maintained under seal: the redacted portions on pages 1, 3, 10, and 11, which reference “Confidential” or “Highly Confidential” information.

4. These portions of Mitsubishi Electric’s Reply in Support of Its Motion for Partial Summary Judgment as to Direct Action Purchaser’ Sherman Act Damages Claims Based on CRT Product Purchases from NEC Corporation and NEC-Mitsubishi Electric Visual Systems Corporation refer to “Confidential” or “Highly Confidential” expert reports, deposition testimony, and other private or competitively sensitive information, designated as “Confidential” or “Highly Confidential” by the Mitsubishi Electric Defendants pursuant to the Protective Order.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

[Signature Block on Following Page]

1 Executed this 23 day of January, 2015 at Chicago, Illinois.

2 JENNER & BLOCK LLP

3 By: /s/ Gabriel A. Fuentes

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